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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/801366-Conf. #3154
		Filing Date	March 15, 2004
		First Named Inventor	Edward F. LEONARD
		Art Unit	N/A
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	2	Attorney Docket Number	0019240.00145US2

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	WILMER CUTLER PICKERING HALE AND DORR LLP		
Signature			
Printed name	Jane M. Love, Ph.D.		
Date	January 27, 2006	Reg. No.	42,812

Express Mail Label No. EV 734139232 US Dated: January 27, 2006
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Docket No.: 19240.145-US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Edward F. Leonard et al.

U.S. Serial No.: 10/801,366
Confirmation No.: 3154

Filed: March 15, 2004
Art Unit: 1723

For: Systems and Methods of Blood-Based Therapies
Having a Microfluidic Membraneless Exchange Device
Examiner: John Kim

REPLY TO NOTICE OF NONCOMPLIANCE
AND
RESUBMISSION OF RESTRICTION ELECTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is submitted in reply to the Notice of Non-Compliant Amendment mailed on January 17, 2006. A reply is due on February 17, 2006. The Notice requires addition of proper status identifiers to the claims submitted with the Applicants' response to Restriction Requirement filed on January 3, 2006.

Pages 5-17 of the paper filed by facsimile transmission on January 3, 2006 were submitted in error. Applicants only intended to file pages 1-4 as the reply and the remaining pages were included due to a clerical error.

Applicants respectfully resubmit a response to the Restriction Requirement herewith. This response does not contain amendments to the pending claims. Therefore, Applicants' response does not include any pages of pending claims marked with status identifiers.

In the Office Communication mailed on December 2, 2005, the Examiner required applicants to elect a group of claims for examination. In reply, applicants elect Group II, claims 21-37, with traverse.

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Date of Deposit: January 27, 2006

The basis for the restriction alleged by the Examiner was that the groupings “are directed to a method or apparatus for using membraneless exchange device, but each group has a different special technical feature not shared by the remaining groups.” (See Office Action, page 3.) Applicants respectfully submit that the claims of Groups I-III should be examined together, since they share a relationship involving the use of a device that includes inlet channels and exit channels and a dialysis or extraction channel and because it would not present an unreasonable task for, or place an undue burden on, the Examiner for searching purposes to examine the claims of these groups together.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 08-0219.

Dated: 1/27/06

Respectfully submitted,



Jane M. Love, Ph.D.

Registration No.: 42,812

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